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27 STATE WATER RESOURCES CONTROL BOARD

28 In the Matter of the Petition of NRDC, Los Angeles Waterkeeper, and Heal the Bay, for Review of Action by the California Regional Water Quality Control Board, Los Angeles Region, in Adopting the Los Angeles County Municipal Separate Stormwater National Pollutant Discharge Elimination System (NPDES) Permit; Order No. R4-2012-0175; NPDES Permit No. CAS004001) REQUEST FOR OFFICIAL NOTICE
) RE: ENVIRONMENTAL GROUPS' COMMENTS ON REVISED DRAFT ORDER WQ 2015- IN THE MATTER OF REVIEW OF ORDER NO. R4-2012-0175, NPDES PERMIT No.CAS004001 WASTE DISCHARGE REQUIREMENTS FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) DISCHARGES WITHIN THE COASTAL WATERSHED OF LOS ANGELES COUNTY, EXCEPT THOSE DISCHARGES ORIGINATING FROM THE CITY OF LONG BEACH MS4, SWRCB/OCC FILES A-2236 (A)-(KK)

1 The Natural Resources Defense Council (“NRDC”), Los Angeles Waterkeeper
2 (“Waterkeeper”), and Heal the Bay (collectively, “Environmental Groups”), in conjunction with
3 our Comments on the Revised Draft Order WQ 2015- In the Matter of Review of Order No. R4-
4 2012-0175, NPDES Permit No.CAS004001 Waste Discharge Requirements for Municipal
5 Separate Storm Sewer System (MS4) Discharges Within the Coastal Watershed of Los Angeles
6 County, Except Those Discharges Originating From the City of Long Beach MS4, SWRCB/OCC
7 Files A-2236 (a)-(kk) (“Revised Draft Order”), hereby request that the State Water Resources
8 Control Board (“State Board”) take official notice of the following documents, pursuant to Section
9 648.2 of Title 23 of the California Code of Regulations. Evidence Code section 452(c) allows the
10 State Board to take official notice of “[o]fficial acts of the legislative, executive, and judicial
11 departments of the United States and of any state of the United States.” Courts have found that
12 “official acts” under Evidence Code section 452(c) “include records, reports and orders of
13 administrative agencies.” (*Rodas v. Spiegel* (2001) 87 Cal.App.4th 513, 518.). Pursuant to Section
14 648.2 of Title 23 of the California Code of Regulations, the State Board should take official notice
15 of the following documents as they will assist it in evaluating the Watershed Management
16 Programs/Enhanced Watershed Management Programs alternative compliance approach proposed
17 in the 2012 MS4 Permit.

- 18 1. Attached as “Exhibit A” is a true and correct copy of a letter from Samuel Unger,
19 Executive Officer of the Los Angeles Regional Water Quality Control Board, to Gail
20 Farber, Director of the Los Angeles County Department of Public Works and Chief
21 Engineer of the Los Angeles County Flood Control District, Re: Review of the
22 Alamitos Bay/Los Cerritos Channel Watershed Management Area Draft Watershed
23 Management Program, Pursuant to Part VI.C of the Los Angeles County Municipal
24 Separate Storm Sewer System (MS4) Permit (NPDES Permit No. CAS004001; Order
25 No. R4-2012-0175), dated October 27, 2014.
- 26 2. Attached as “Exhibit B” is a true and correct copy of the Revised Alamitos Bay/Los
27 Cerritos Channel Watershed Management Program submitted to the Los Angeles
28 Regional Water Quality Control Board by the Los Angeles County Department of

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Public Works and the Los Angeles County Flood Control District on January 27, 2015.

3. Attached as “Exhibit C” is a true and correct copy of a letter from Samuel Unger, Executive Officer of the Los Angeles Regional Water Quality Control Board, to Gail Farber, Director of the Los Angeles County Department of Public Works and Chief Engineer of the Los Angeles County Flood Control District, Re: Approval, with Conditions, of the Alamitos Bay/Los Cerritos Channel Watershed Management Area Watershed Management Program (WMP) Pursuant to the Los Angeles County Municipal Separate Storm Sewer System (MS4) Permit (NPDES Permit No. CAS004001; Order No. R4-2012-0175), dated April 28, 2015.

4. Attached as “Exhibit D” is a true and correct copy of a letter from Samuel Unger, Executive Officer of the Los Angeles Regional Water Quality Control Board, to the East San Gabriel Valley Watershed Management Group Re: Review of the San Gabriel Valley Watershed Management Group’s Draft Watershed Management Program, Pursuant to Part VI.C of the Los Angeles County Municipal Separate Storm Sewer System (MS4) Permit (NPDES Permit No. CAS004001; Order No. R4-2012-0175), dated October 27, 2014.

5. Attached as “Exhibit E” is a true and correct copy of the Revised East San Gabriel Valley Watershed Management Program submitted to the Los Angeles Regional Water Quality Control Board by the Cities of Claremont, La Verne, Pomona, and San Dimas on January 28, 2015.

6. Attached as “Exhibit F” is a true and correct copy of a letter from Samuel Unger, Executive Officer of the Los Angeles Regional Water Quality Control Board, to Permittees of the East San Gabriel Valley Watershed Management Group Re: Approval, with Conditions, of the East San Gabriel Valley Group’s Watershed Management Program (WMP) Pursuant to the Los Angeles County Municipal Separate Storm Sewer System (MS4) Permit (NPDES Permit No. CAS004001; Order No. R4-2012-0175), dated April 28, 2015.

- 1 7. Attached as “Exhibit G” is a true and correct copy of a letter from Samuel Unger,
2 Executive Officer of the Los Angeles Regional Water Quality Control Board, to Frank
3 Senteno, City Engineer, City of El Monte, Re: Review of the City of El Monte’s Draft
4 Watershed Management Program, Pursuant to Part VI.C of the Los Angeles County
5 Municipal Separate Storm Sewer System (MS4) Permit (NPDES Permit No.
6 CAS004001; Order No. R4-2012-0175), dated October 22, 2014.
- 7 8. Attached as “Exhibit H” is a true and correct copy of City of El Monte’s Revised Draft
8 Watershed Management Program submitted to the Los Angeles Regional Water
9 Quality Control Board by the City of El Monte in January 2015.
- 10 9. Attached as “Exhibit I” is a true and correct copy of additional revisions to the Revised
11 Draft Watershed Management Program submitted to the Los Angeles Regional Water
12 Quality Control Board by the City of El Monte on April 27, 2015.
- 13 10. Attached as “Exhibit J” is a true and correct copy of a letter from Samuel Unger,
14 Executive Officer of the Los Angeles Regional Water Quality Control Board, to Frank
15 Senteno, City Engineer, City of El Monte, Re: Approval, with Conditions, of the City
16 of El Monte’s Watershed Management Program (WMP) Pursuant to the Los Angeles
17 County Municipal Separate Storm Sewer System (MS4) Permit (NPDES Permit No.
18 CAS004001; Order No. R4-2012-0175), dated April 28, 2015.
- 19 11. Attached as “Exhibit K” is a true and correct copy of a letter from Samuel Unger,
20 Executive Officer of the Los Angeles Regional Water Quality Control Board, to Los
21 Cerritos Channel Watershed Management Group Re: Review of the Los Cerritos
22 Channel Watershed Management Group’s Draft Watershed Management Program,
23 Pursuant to Part VI.C of the Los Angeles County Municipal Separate Storm Sewer
24 System (MS4) Permit (NPDES Permit No. CAS004001; Order No. R4-2012-0175),
25 dated October 29, 2014.
- 26 12. Attached as “Exhibit L” is a true and correct copy of the Revised Draft Watershed
27 Management Program for the Los Cerritos Channel Watershed Management Group
28 submitted to the Los Angeles Regional Water Quality Control Board by the Cities of

- 1 Bellflower, Cerritos, Downey, Lakewood, Long Beach, Paramount, Signal Hill and
2 the Los Angeles County Flood Control District on January 28, 2015.
- 3 13. Attached as “Exhibit M” is a true and correct copy of a letter from Samuel Unger,
4 Executive Officer of the Los Angeles Regional Water Quality Control Board, to
5 Permittees of the Los Cerritos Channel Watershed Management Group Re: Approval,
6 with Conditions, of the Los Cerritos Channel Watershed Management Group’s
7 Watershed Management Program (WMP) Pursuant to the Los Angeles County
8 Municipal Separate Storm Sewer System (MS4) Permit (NPDES Permit No.
9 CAS004001; Order No. R4-2012-0175), dated April 28, 2015.
- 10 14. Attached as “Exhibit N” is a true and correct copy of a letter from Samuel Unger,
11 Executive Officer of the Los Angeles Regional Water Quality Control Board, to
12 Lower Los Angeles River Watershed Management Group Re: Review of the Lower
13 Los Angeles River Watershed Management Group’s Draft Watershed Management
14 Program, Pursuant to Part VI.C of the Los Angeles County Municipal Separate Storm
15 Sewer System (MS4) Permit (NPDES Permit No. CAS004001; Order No. R4-2012-
16 0175), dated October 28, 2014.
- 17 15. Attached as “Exhibit O” is a true and correct copy of the Revised Lower Los Angeles
18 River Watershed Management Program submitted to the Los Angeles Regional Water
19 Quality Control Board by the Cities of Pico Rivera, Downey, South Gate, Lynwood,
20 Paramount, Signal Hill, Long Beach, Lakewood and the Los Angeles County Flood
21 Control District on January 28, 2015.
- 22 16. Attached as “Exhibit P” is a true and correct copy of the Reasonable Assurance
23 Analysis for Lower Los Angeles River, Los Cerritos Creek, and Lower San Gabriel
24 River submitted to the Los Angeles Regional Water Quality Control Board by the
25 Lower Los Angeles River Watershed Management Group, the Los Cerritos Channel
26 Watershed Management Group and the Lower San Gabriel River Watershed
27 Management Group on January 15, 2015.
- 28 17. Attached as “Exhibit Q” is a true and correct copy of the appendices to the Revised

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Lower Los Angeles River Watershed Management Program submitted to the Los Angeles Regional Water Quality Control Board by the Lower Los Angeles River Watershed Management Group on January 28, 2015.

18. Attached as “Exhibit R” is a true and correct copy of a letter from Samuel Unger, Executive Officer of the Los Angeles Regional Water Quality Control Board, to Permittees of the Lower Los Angeles River Watershed Management Group Re: Approval, with Conditions, of the Lower Los Angeles River Watershed Management Group’s Watershed Management Program (WMP) Pursuant to the Los Angeles County Municipal Separate Storm Sewer System (MS4) Permit (NPDES Permit No. CAS004001; Order No. R4-2012-0175), dated April 28, 2015.

19. Attached as “Exhibit S” is a true and correct copy of a letter from Samuel Unger, Executive Officer of the Los Angeles Regional Water Quality Control Board, to Lower San Gabriel River Watershed Management Group Re: Review of the Lower San Gabriel River Watershed Management Group’s Draft Watershed Management Program, Pursuant to Part VI.C of the Los Angeles County Municipal Separate Storm Sewer System (MS4) Permit (NPDES Permit No. CAS004001; Order No. R4-2012-0175), dated October 30, 2014.

20. Attached as “Exhibit T” is a true and correct copy of the Revised Lower San Gabriel River Watershed Management Program submitted to the Los Angeles Regional Water Quality Control Board by the Cities of Artesia, Bellflower, Cerritos, Diamond Bar, Downey, Hawaiian Gardens, La Mirada, Lakewood, Norwalk, Pico Rivera, Santa Fe Springs, Whittier, Long Beach and the Los Angeles County Flood Control District on January 30, 2015.

21. Attached as “Exhibit U” is a true and correct copy of the appendices to the Revised Lower San Gabriel River Watershed Management Program submitted to the Los Angeles Regional Water Quality Control Board by the Lower Los Angeles River Watershed Management Group on January 30, 2015.

22. Attached as “Exhibit V” is a true and correct copy of a letter from Samuel Unger,

1 Executive Officer of the Los Angeles Regional Water Quality Control Board, to
2 Permittees of the Lower San Gabriel River Watershed Management Group Re:
3 Approval, with Conditions, of the Lower San Gabriel River Watershed Management
4 Group’s Watershed Management Program (WMP) Pursuant to the Los Angeles
5 County Municipal Separate Storm Sewer System (MS4) Permit (NPDES Permit No.
6 CAS004001; Order No. R4-2012-0175), dated April 28, 2015.

7 23. Attached as “Exhibit W” is a true and correct copy of a letter from Samuel Unger,
8 Executive Officer of the Los Angeles Regional Water Quality Control Board, to
9 Shahram Kharaghani, City of Los Angeles and Gail Farber, Los Angeles County
10 Flood Control District, Re: Review of the Draft Watershed Management Program for
11 the City of Los Angeles Area in Santa Monica Bay Jurisdictional Group 7
12 Subwatershed, Pursuant to Part VI.C of the Los Angeles County Municipal Separate
13 Storm Sewer System (MS4) Permit (NPDES Permit No. CAS004001; Order No. R4-
14 2012-0175), dated October 27, 2014.

15 24. Attached as “Exhibit X” is a true and correct copy of the Revised Draft Watershed
16 Management Program for the City of Los Angeles Area in Santa Monica Bay
17 Jurisdictional Group 7 Subwatershed submitted to the Los Angeles Regional Water
18 Quality Control Board by the City of Los Angeles and the Los Angeles County Flood
19 Control District on January 27, 2015.

20 25. Attached as “Exhibit Y” is a true and correct copy of a letter from Samuel Unger,
21 Executive Officer of the Los Angeles Regional Water Quality Control Board, to
22 Shahram Kharaghani, City of Los Angeles, and Gail Farber, Los Angeles County
23 Flood Control District, Re: Approval, with Conditions, of the City of Los Angeles
24 Area in Santa Monica Bay Jurisdictional Group 7 Subwatershed Watershed
25 Management Program (WMP) Pursuant to the Los Angeles County Municipal
26 Separate Storm Sewer System (MS4) Permit (NPDES Permit No. CAS004001; Order
27 No. R4-2012-0175), dated April 28, 2015.

28 26. Attached as “Exhibit Z” is a true and correct copy of a letter from Samuel Unger,

1 Executive Officer of the Los Angeles Regional Water Quality Control Board, to Los
2 Angeles River Upper Reach 2 Watershed Management Group, Re: Review of the Los
3 Angeles River Upper Reach 2 Watershed Management Group’s Draft Watershed
4 Management Program, Pursuant to Part VI.C of the Los Angeles County Municipal
5 Separate Storm Sewer System (MS4) Permit (NPDES Permit No. CAS004001; Order
6 No. R4-2012-0175), dated October 27, 2014.

7 27. Attached as “Exhibit AA” is a true and correct copy of the Revised Draft Watershed
8 Management Program for the Los Angeles River Upper Reach 2 Watershed
9 Management Group submitted to the Los Angeles Regional Water Quality Control
10 Board by the Cities of Bell, Bell Gardens, Commerce, Cudahy, Huntington Park,
11 Maywood, Vernon, and the Los Angeles County Flood Control District on January 27,
12 2015.

13 28. Attached as “Exhibit BB” is a true and correct copy of a letter from Samuel Unger,
14 Executive Officer of the Los Angeles Regional Water Quality Control Board, to
15 Permittees of the Los Angeles River Upper Reach 2 Watershed Management Group,
16 Re: Approval, with Conditions, of Los Angeles River Upper Reach 2 Watershed
17 Management Group’s Watershed Management Program (WMP) Pursuant to the Los
18 Angeles County Municipal Separate Storm Sewer System (MS4) Permit (NPDES
19 Permit No. CAS004001; Order No. R4-2012-0175), dated April 28, 2015.

20 29. Attached as “Exhibit CC” is a true and correct copy of a letter from Samuel Unger,
21 Executive Officer of the Los Angeles Regional Water Quality Control Board, to
22 Melissa Barcelo, Re: Review of the City of Walnut’s Draft Watershed Management
23 Program, Pursuant to Part VI.C of the Los Angeles County Municipal Separate Storm
24 Sewer System (MS4) Permit (NPDES Permit No. CAS004001; Order No. R4-2012-
25 0175), dated October 21, 2014.

26 30. Attached as “Exhibit DD” is a true and correct copy of the City of Walnut’s Revised
27 Draft Watershed Management Program submitted to the Los Angeles Regional Water
28 Quality Control Board on April 22, 2015.

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- 31. Attached as “Exhibit EE” is a true and correct copy of a letter from Samuel Unger, Executive Officer of the Los Angeles Regional Water Quality Control Board, to Mary Rooney, City of Walnut, Re: Approval, with Conditions, of the City of Walnut’s Watershed Management Program (WMP) Pursuant to the Los Angeles County Municipal Separate Storm Sewer System (MS4) Permit (NPDES Permit No. CAS004001; Order No. R4-2012-0175), dated April 28, 2015.
- 32. Attached as “Exhibit FF” is a true and correct copy of Environmental Groups’ Comments on Revised Watershed Management Plans under the Los Angeles County Municipal Separate Storm Sewer System Permit, NPDES Permit No. CAS004001, Order No. R4-2012-0175 submitted to the Executive Officer of the Los Angeles Regional Water Quality Control Board on March 25, 2015.

For the foregoing reasons, Environmental Groups respectfully request that the State Board take official notice of these documents.

Dated: June 2, 2015 NATURAL RESOURCES DEFENSE COUNCIL, INC.

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Dated: June 2, 2015 LOS ANGELES WATERKEEPER



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